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6 **BEFORE THE**
7 **BOARD OF REGISTERED NURSING**
8 **DEPARTMENT OF CONSUMER AFFAIRS**
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2013-4

11 **SANDRA L. PATTERSON**
12 **3950 Waring Road, Apt. 227**
13 **Oceanside, CA 92056**

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

14 **Registered Nurse License No. 397051**

15 Respondent.

16 **FINDINGS OF FACT**

17 1. On or about July 2, 2012, Complainant Louise R. Bailey, M.Ed., RN, in her official
18 capacity as the Interim Executive Officer of the Board of Registered Nursing, Department of
19 Consumer Affairs, filed Accusation No. 2013-4 against Sandra L. Patterson (Respondent) before
20 the Board of Registered Nursing. (The Accusation is attached as Exhibit A.)

21 2. On or about March 31, 1986, the Board of Registered Nursing (Board) issued
22 Registered Nurse License No. 397051 to Respondent. The Registered Nurse License expired on
23 October 31, 2009, and has not been renewed. Section 2764 of the Code provides, in pertinent
24 part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a
25 disciplinary proceeding against the licensee or to render a decision imposing discipline on the
26 license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired
27 license at any time within eight years after the expiration.

28 3. On or about July 2, 2012, Respondent was served by Certified and First Class Mail
copies of the Accusation No. 2013-4, Statement to Respondent, Notice of Defense, Request for

1 Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at
2 Respondent's address of record which, pursuant to California Code of Regulations, title 16,
3 section 1409.1, is required to be reported and maintained with the Board. Respondent's address
4 of record was and is:

5 3950 Waring Road, Apt. 227
6 Oceanside, CA 92056

7 4. Service of the Accusation was effective as a matter of law under the provisions of
8 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
9 124.

10 5. On or about July 24, 2012, the aforementioned documents served by certified mail
11 were returned by the U.S. Postal Service marked "Attempted, Not Known." On or about August
12 2, 2012, the aforementioned documents served by First Class mail were returned by the U.S.
13 Postal Service marked "Attempted, Not Known." The address on the documents was the same as
14 the address on file with the Board. Respondent failed to maintain an updated address with the
15 Board and the Board has made attempts to serve the Respondent at the address on file.
16 Respondent has not made herself available for service and therefore, has not availed herself of her
17 right to file a notice of defense and appear at hearing.

18 6. Government Code section 11506 states, in pertinent part:

19 (c) The respondent shall be entitled to a hearing on the merits if the respondent
20 files a notice of defense, and the notice shall be deemed a specific denial of all parts
21 of the accusation not expressly admitted. Failure to file a notice of defense shall
constitute a waiver of respondent's right to a hearing, but the agency in its discretion
may nevertheless grant a hearing.

22 7. Respondent failed to file a Notice of Defense within 15 days after service upon her of
23 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No.
24 2013-4.

25 8. California Government Code section 11520 states, in pertinent part:

26 (a) If the respondent either fails to file a notice of defense or to appear at the
27 hearing, the agency may take action based upon the respondent's express admissions
28 or upon other evidence and affidavits may be used as evidence without any notice to
respondent.

9. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on the relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as taking official notice of all the investigatory reports, exhibits and statements contained therein on file at the Board's offices regarding the allegations contained in Accusation No. 2013-4, finds that the charges and allegations in Accusation No. 2013-4, are separately and severally, found to be true and correct by clear and convincing evidence.

10. Taking official notice of its own internal records, pursuant to Business and Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation and Enforcement is \$462.50 as of August 8, 2012.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Sandra L. Patterson has subjected her Registered Nurse License No. 397051 to discipline.

2. The agency has jurisdiction to adjudicate this case by default.

3. The Board of Registered Nursing is authorized to revoke Respondent's Registered Nurse License based upon the following violations alleged in the Accusation which are supported by the Default Decision Investigatory Evidence Packet in this case.

4. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4) of the Code for out-of-state discipline in that Respondent entered into an Agreement for Reprimand that was accepted and approved by the Nevada State Board of Nursing on September 16, 2010. Respondent's Nevada LPN license was publicly reprimanded for unprofessional conduct pursuant to Nevada Revised Statutes 632.320(1)(g) in that she failed to properly document the administration of medications.

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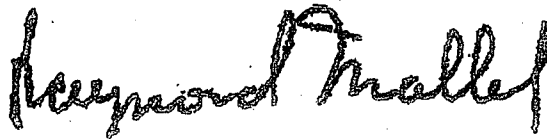
ORDER

IT IS SO ORDERED that Registered Nurse License No. 397051, heretofore issued to Respondent Sandra L. Patterson, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on January 14, 2013

It is so ORDERED December 14, 2012



FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

DOJ Matter ID:SD2012703335

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

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8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-4

13 **SANDRA L. PATTERSON**
3950 Waring Road, Apt. 227
14 Oceanside, CA 92056

ACCUSATION

15 Registered Nurse License No. 397051

16 Respondent.

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19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
23 of Consumer Affairs.

24 2. On or about March 31, 1986, the Board of Registered Nursing issued Registered
25 Nurse License Number 397051 to Sandra L. Patterson (Respondent). The Registered Nurse

26 License expired on October 31, 2009, and has not been renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

6. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

....

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

....

COST RECOVERY

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1 CAUSE FOR DISCIPLINE

2 (Out-of-State Discipline on Nursing License)

3 8. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4) of
4 the Code in that Respondent's nursing license was disciplined by the Nevada State Board of
5 Nursing. The circumstances are as follows:

6 a. On or about August 16, 2010, the Nevada State Board of Nursing filed a
7 Complaint and Notice of Hearing in Case No. 1231-09C against Respondent's Licensed
8 Professional Nurse (LPN) license number RN62855. The complaint alleged that on or about
9 December 7, 2009, while employed as an LPN at a Las Vegas hospital, Respondent failed to
10 administer medications to patients as ordered. Respondent also documented that she had
11 administered medications as ordered when she had not. Respondent's conduct subjected her LPN
12 license to discipline pursuant to Nevada Revised Statutes 632.320(1)(g) for unprofessional
13 conduct in that Respondent violated Nevada Administrative Code 632.890(20) when Respondent
14 inaccurately recorded, falsified or otherwise altered or destroyed records. Respondent's conduct
15 also subjected her LPN license to discipline pursuant to Nevada Revised Statutes 632.320(1)(g) in
16 that Respondent failed to perform nursing functions in a manner consistent with established or
17 customary standards, in violation of Nevada Administrative Code 632.890(27).

18 b. As a result of the Complaint, Respondent entered into an Agreement for
19 Reprimand that was accepted and approved by the Nevada State Board on September 16, 2010, in
20 which Respondent's Nevada LPN license would be publicly reprimanded. As a condition of the
21 discipline, Respondent was required to take and successfully complete courses in legal ethics,
22 critical thinking, and the Nevada Nurse Practice Act.

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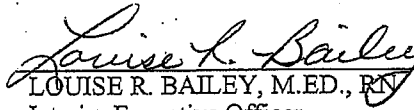
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 397051, issued to Sandra L. Patterson;
2. Ordering Sandra L. Patterson to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: July 2, 2012


LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

SD2012703335